



Attorney Docket No.: 54795-8003.US00

CERTIFICATION OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: August 24, 2007

By: [Signature]

Steven Goldstein

## PATENT

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: YAMAZAKI ET AL.

APPLICATION No.: 10/588,937

FILED: August 8, 2006

FOR: METHOD FOR GENERATING  
TETHERED PROTEINS

EXAMINER: TO BE ASSIGNED

ART UNIT: 1646

CONF. NO: 9737

#### Information Disclosure Statement Within Three Months of Application Filing or Before First Action – 37 C.F.R. § 1.97(b)

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

#### A. Timing of Submission

This information disclosure is being filed within three months of the filing date of this application or date of entry into the National Stage of an International Application or before the mailing date of a first Office Action on the merits or before the mailing date of a first Office Action on the merits after the filing of a Request for Continued Examination under 37 CFR §1.114, whichever occurs last (37 CFR 1.97(b)(4)). The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

#### B. Cited Information

- ☒ Copies of references 1-5 are issued patent(s) and published application(s) and are not included (see 37 C.F.R. § 1.98(a)(2)(ii)).
- ☒ Copies of references 6-15 are enclosed.

**C. Effect of Information Disclosure Statement (37 C.F.R. § 1.97(h))**

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

**D. Fee Payment**

No fees are believed due because this Information Disclosure Statement is being filed before the mailing date of the first Office Action. However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-2207.

**E. Patent Term Adjustment (37 C.F.R. § 1.704(d))**

- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Respectfully submitted,  
Perkins Coie LLP

Date: August 24, 2006

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<p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  Form PTO-1449 (Modified)  (Use several sheets if necessary)</p>				<b>COMPLETE IF KNOWN</b>		
				Application Number	10/588,937	
				Confirmation Number	9737	
				Filing Date	August 8, 2007	
				First Named Inventor	Yamazaki <i>et al.</i>	
				Group Art Unit	1646	
Examiner Name	To be Assigned					
Attorney Docket No.	54795-8003.US00					
Sheet	1	of	1			

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		NUMBER	Kind Code (if known)			
	1.	5,109,113		Caras <i>et al.</i>	4/28/92	
	2.	6,228,326	B1	Boxer <i>et al.</i>	5/8/01	
	3.	6,503,452		Boxer <i>et al.</i>	1/7/03	
	4.	2002/0009807	A1	Kam <i>et al.</i>	1/24/02	
	5.	2002/0160505	A1	Groves <i>et al.</i>	10/31/02	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.	Foreign Patent or Application			Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Office	NUMBER	Kind Code (if known)			
	6.	PCT	WO 89/01041	A1	Genentech, Inc.	2/9/89	
	7.	PCT	WO 94/18317	A1	The Board of Trustees of the Leland Stanford Junior University	8/18/94	
	8.	PCT	WO 96/41865	A1	Ariad Gene Therapeutics, Inc.	12/27/96	
	9.	PCT	WO 01/26800	A1	The Board of Trustees of the Leland Stanford Junior University	4/19/01	
	10.	PCT	WO 03/089649	A1	Oxford Biomedica Limited	10/30/03	
	11.	PCT	WO 05/078104	A1	Synamem Corporation	8/25/05	

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.
	12.	Caras <i>et al.</i> , <i>Science</i> , 238(4831):1280-1283 (1987).
	13.	Invivogen, pVAC, DNA Vaccines, <a href="http://www.invivogen.com/plasmids/pVAC.htm">http://www.invivogen.com/plasmids/pVAC.htm</a> (2005).
	14.	Lin <i>et al.</i> , <i>Science</i> , 249(4969):677-679 (1990).
	15.	Whitehorn <i>et al.</i> , <i>Biotechnology</i> , 13(11):1215-1219 (1995).

EXAMINER	DATE CONSIDERED
<p>*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance <u>and</u> not considered. Include copy of this form with next communication to application(s).</p>	